

**CRIMINAL DOCKET  
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

6

TITLE OF CASE	ATTORNEYS
<b>THE UNITED STATES</b>  <b>vs.</b>  Frank H. Rapp,	For U. S.: <del>James E. Ritchie,</del> Hubert H. Bryant   For Defendant: G. Ellis Gable, (Ct. Ap.) 4th National Bank Bldg., Tulsa, Okla., 74119 LU 2-9201

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 4-30-68	Clerk				
J.S. 3 mailed 5-31-68	Marshal				
Violation Postal	Docket fee				
Title 18					
Sec. 1702					

DATE	PROCEEDINGS
4-10-68	Indictment, filed. e
4-10-68	Record vote of Grand Jury, filed. e
4-10-68	Bail set at \$1,500.00. Warrant Issued. e
4-10-68	Personal appearance bond of the defendant, in the sum of \$1,000.00, filed. b
4-10-68	Order specifying methods and conditions of release, filed. b
4-18-68	Defendant not present and represented by counsel. It is ordered by the Court that arraignment as to the defendant is passed to Tuesday, May 7, 1968, for the reason that the defendant is in the hospital. Letter from Doctor filed in open court. (AEB-J)h
4-19-68	Return on warrant for arrest filed. Unexecuted as subject already on bond this charge on 4-15-68. ds
4-24-68	Arraignment stricken from docket of 5-7-68 and set 4-30-68 at 10:00AM
4-30-68	Defendant present in person and represented. Defendant (AEB-J) arraigned, receives copy of indictment, waives reading, and enters a plea of NOT GUILTY. Case set for Jury Trial on May 13, 19681docket. (AEB-J) (Steve Allen-CSR)w
5-1-68	Ordered by the Court that this case is set for Jury Trial on Monday, May 20, 1968 at 10:00 a.m. (AEB-J)w

DATE	PROCEEDINGS
5-10-68	change of plea Ordered by the Court that case is reset for <del>jury trial</del> on Tuesday, May 14, 1968, at 10:00 a.m. (AEB-J)w
5-14-68	Defendant present in person and represented. Defendant withdraws plea of Not Guilty and enters plea of NOLO CONTENDERE. Court overrules government's objections and accepts plea of NOLO CONTENDERE, and sentence passed to 5-28-68 at 10:00 A M.(AEB-J)h
5-15-68	Return on subpoena to testify, filed. Served Berna Dean Morrow at Fayetteville, Ark. on 5-10-68. (\$19.20). Return on subpoena duces tecum filed. Served Don S. Turrentine at Houston, Texas, on 5-9-68. (\$4.40) Subpoena to testify returned unserved on 5-10-68 as to Bob Woodward and Elmer Adams on 5-10-68. ds
5-28-68	Defendant present in person and represented by G. Ellis Gable, Ct. Appt. Counsel. Judgment and Sentence- Frank H. Rapp (39)
	Probation- 1 yr. (AEB-J)h
5-28-68	Order of Prob. filed and entered. (AEB-J)h
5-28-68	Two c.c. of order of Prob. delivered to Prob. Office. h
6-10-68	Excerpt of Reporter's Transcript on 5-28-68 Statement of Mr. Gable. Filed js

UNITED STATES COMMISSIONER

Northern DISTRICT OF Oklahoma.

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE BENJAMIN B. BALLENGER

(Name of commissioner)

FEDERAL BUILDING, TULSA, OKLAHOMA.

(Address)

COMMISSIONER'S  
DOCKET NO. 1 CASE NO. 284  
THE UNITED STATES  
vs.  
FRANK H. RAPP (38)

Complaint filed on 9-25-1967, 19\_\_\_\_, by A. E. Williams  
Official title Postal Inspector, charging violation of  
United States Code, Title 18, Section 1702, on 10-15-66  
19\_\_\_\_, at Tulsa, Okla. in the  
division of the Northern district of Oklahoma.  
as follows: did unlawfully take a letter addressed  
to B. D. Morrow, 1427 E. 36th Street, Tulsa, Okla.  
before it had been delivered to whom addressed and  
embezzled the contents consisting of Texaco Oil  
Co., Credit card No. 54 615 8936 7.

(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:

Date 9-25-67 Warrant/Summons for Frank H. Rapp  
(Name of defendant)  
to (name and title of officer) To Any U. S. Marshal or Any Authorized U.S. Officer:  
Substance of return Arrested by: O'Neil Cobb, U.S.D.M.  
Date\_\_\_\_ Warrant/Summons for\_\_\_\_  
to (name and title of officer)\_\_\_\_  
Substance of return\_\_\_\_

FILED

16, 843

SEP 28 1967

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER: Ballenger NOBLE C. HOOD

Date Sept. 26, 1967 Arrested by O'Neil Cobb, U.S.D.M. on warrant of Benjamin B. Ballenger  
(Name of issuing officer)  
without warrant.

Appearances { for United States\_\_\_\_ (Name)\_\_\_\_ (Address)\_\_\_\_  
for accused\_\_\_\_ (Name)\_\_\_\_ (Address)\_\_\_\_

Proceedings taken Defendant presented, advised of charge filed against him, his  
(Here insert with dates, when appropriate, a serial account of essential steps taken at hearing such as "complaint prepared,"  
constitutional rights as to counsel and preliminary hearing. Def't. Waived

if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing"; "preliminary examination waived,"  
counsel for the purpose of this hearing and signed Waiver. Preliminary

if that is the fact; any adjournments taken, etc.  
hearing also Waived. Bond fixed at \$1000.00 and defendant released on  
personal bond.

Outcome Held for Court Action.

Bail fixed 9-26-67, 19\_\_\_\_ Amount, \$ 1000.00 Bonded 9-26-67, 19\_\_\_\_, by cash  
deposited by (name)\_\_\_\_ Address\_\_\_\_  
transmitted to clerk of district court\_\_\_\_  
(name) Frank H. Rapp Address 1389 1/2 East 27th St, Tulsa, Okla.  
(name)\_\_\_\_ Address\_\_\_\_, who  
justified by affidavit dated Sept. 26, 1967, [or] committed to  
on\_\_\_\_, 19\_\_\_\_

SUBPOENAS FOR WITNESSES ISSUED:

\_\_\_\_\_, 19\_\_\_\_, for (name of witness)\_\_\_\_\_  
at request of (name of party)\_\_\_\_\_  
Substance of return\_\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, for (name of witness)\_\_\_\_\_  
at request of (name of party)\_\_\_\_\_  
Substance of return\_\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, for (name of witness)\_\_\_\_\_  
at request of (name of party)\_\_\_\_\_  
Substance of return\_\_\_\_\_

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date\_\_\_\_\_ Appearances for \_\_\_\_\_

{ United States (Name) \_\_\_\_\_  
(Address) \_\_\_\_\_  
Accused (Name) \_\_\_\_\_  
(Address) \_\_\_\_\_

WITNESSES FOR UNITED STATES: (List names and addresses)

WITNESSES FOR ACCUSED: (List names and addresses)

Witness payroll containing \_\_\_\_\_ names certified to United States Marshal for payment \_\_\_\_\_, 19\_\_\_\_  
Proceedings taken \_\_\_\_\_

Outcome\_\_\_\_\_

Bail fixed \_\_\_\_\_, 19\_\_\_\_ Amount, \$ \_\_\_\_\_ Bonded \_\_\_\_\_, 19\_\_\_\_, by cash  
deposited by (name) \_\_\_\_\_ Address \_\_\_\_\_  
transmitted to clerk of district court \_\_\_\_\_, 19\_\_\_\_  
[or] by surety (names) \_\_\_\_\_ Address \_\_\_\_\_  
and \_\_\_\_\_ Address \_\_\_\_\_  
who justified by affidavit \_\_\_\_\_, 19\_\_\_\_ Committed to \_\_\_\_\_  
on \_\_\_\_\_, 19\_\_\_\_

Certified to be a correct transcript.

Made this 26 day of September, 19 67  
Transmitted to Clerk of United States District Court for the Northern  
district of Oklahoma, 9-26-67, 19\_\_\_\_

*Benjamin B. Ballenger*  
United States Commissioner.